

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edmark et al.

Serial No.: 09/612,350

Filed: July 6, 2000

For: Method and System for Tracing  
Profiling Information Using Per  
Thread Metric Variables with Reused  
Kernel Threads

§  
§  
§  
§  
§

Group Art Unit: 2122

Examiner: Kendall, Chuck O.

Attorney Docket No.: AUS000057US1

Certificate of Transmission Under 37 C.F.R. § 1.8(a)  
I hereby certify this correspondence is being transmitted via  
facsimile to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, facsimile number (703) 872-9306,  
on March 22, 2004.

By: Krista Douthitt  
Krista Douthitt

NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated December 22, 2003 finally rejecting claims 1-12, 14-21 and 23-34.

A fee of \$330.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee  
Duke W. Yee  
Reg. No. 34,285  
CARSTENS YEE & CAHOON, LLP  
P.O. Box 802334  
Dallas, Texas 75380  
(972) 367-2001  
ATTORNEY FOR APPLICANTS

03/29/2004 THALL: 00000003 090447 09612350

01 Fee:1401 330.00 04

RECEIVED  
CENTRAL FAX CENTER

MAR 22 2004

**Carstens,  
Yee &  
Cahoon, L.L.P.**13760 Noel Road  
Suite 900  
Dallas, Texas 75240Main No. (972) 367-2001  
Facsimile (972) 367-2002

OFFICIAL

**Facsimile Cover Sheet**

To: Commissioner for Patents for Examiner Chuck O. Kendall Group Art Unit 2122	Facsimile No.: 703/872-9306
From: Krista Douthitt Paralegal to Duke Yee	No. of Pages Including Cover Sheet: 3
Message:  Enclosed herewith: <ul style="list-style-type: none"><li>• Transmittal Document; and</li><li>• Notice of Appeal.</li></ul>	
Re: Application No. 09/612,350 Attorney Docket No: AUS000057US1	
Date: Monday, March 22, 2004	
<b>Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b>	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION  
BY FAXING A CONFIRMATION TO 972-367-2002.**